

**UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW HAMPSHIRE**

Paul Berry

v.

Civil No. 07-cv-178-PB

Larry Blaisdell, Warden, Northern  
New Hampshire Correctional Facility

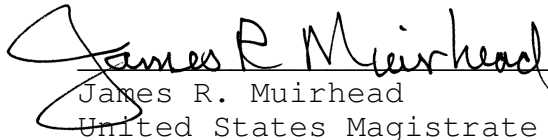
**O R D E R**

Paul Berry has filed a petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254, challenging the constitutionality of his state criminal conviction (document no. 1). The petition is before me for preliminary review. See Rule 4 of the Rules Governing § 2254 Cases in the United States District Courts ("§ 2254 Rules") (requiring initial review to determine whether the petition is facially valid); see also United States District Court for the District of New Hampshire Local Rule ("LR") 4.3(d)(2) (authorizing the magistrate judge to preliminarily review pro se pleadings). As fully explained in the Report and Recommendation issued simultaneously with this Order, I direct Berry to amend his second and third claims for relief, both alleging ineffective assistance of his trial counsel, to include the following specific information:

- a) The circumstances under which the 1994 DCYF summary and diaries were provided to defense counsel;
- b) An explanation of why petitioner was unable to review the DCYF summary and diaries at the time defense counsel obtained knowledge of them;
- c) When, exactly, petitioner received the 1994 DCYF summary and diaries, and under what circumstances he received them;
- d) A complete description, accompanied by documentation, if any, of any and all requests made by petitioner to his trial attorney for the information in question, including general requests that he be provided with copies of all of the information in his criminal case;
- e) A complete description, accompanied by documentation, if any, of any and all responses that Berry's trial counsel made to him regarding the information in question.

Berry is directed to amend his petition within thirty (30) days of the date of this Order. Failure to amend the petition as directed may result in the dismissal of this action.

**SO ORDERED.**

  
James R. Muirhead  
United States Magistrate Judge

Date: July 19, 2007

cc: Paul Berry, pro se